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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

UNITED FOOD AND COMMERCIAL
WORKERS

Petitioner,

v.

ACS, LLC

Respondent.

Case No. 07-CV-03871-JF

**DECLARATION OF ANTHONY P.
RAIMONDO ATTESTING TO ELECTRONIC
CASE FILING TECHNICAL FAILURES**

(General Order No. 45; Electronic Case Filing)

I, ANTHONY P. RAIMONDO, declare as follows:

1. I am one of the attorneys for ACS, LLC, Respondent in this action.
2. On September 24, 2007, our office attempted to file Respondent's response to the Petition on file in this action through the ECF/PACER system at approximately 3:45 pm.
3. We discovered that the system had been disabled through a public notice posted on the court's web site.
4. We continued to attempt filing until the close of business at 5:00 pm, but they system never came back on line.

5. On September 25, 2007, my legal assistant, Rosie Alvarez, spoke to Gordana Macis, deputy clerk to Hon. Jeremy Fogel and was advised that the electronic filing system should be up and running by early afternoon.

Dated: September 25, 2007

/s/
Anthony P. Raimondo, Esq.
Attorney for Respondent ACS, LLC